

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dakai Liu et al.

Serial No. 08/822,963

Filed: March 21, 1997

Title: **VECTORS AND VIRAL VECTORS,
AND PACKAGING CELL LINES
FOR PROPOGATING SAME**

Group Art Unit: 1809

Examiner: Sean McGarry

DAE
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yhh
4-21-98

527 Madison Avenue, 9th Floor
New York, New York 10022
March 19, 1998

FILED BY EXPRESS MAIL

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

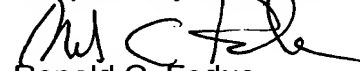
**AMENDMENT TO CORRECT INVENTORSHIP
UNDER 37 C.F.R. §1.48(b)**

Dear Sirs:

Pursuant to the provisions of 37 C.F.R. §1.48(b), kindly amend the inventorship designation in the above-identified application by adding the names of Jeffrey Ng and Lev Lubarsky.

In compliance with 37 C.F.R. §1.48(b), this Amendment is accompanied by a Petition which includes a Verified Statement of Facts identifying both persons being added as inventors and the circumstances under which this inadvertent omission was uncovered. Also in compliance with 37 C.F.R. §1.48(b), the fee of \$130.00 for the accompanying Petition, as set forth in 37 C.F.R. §1.17(h), is being paid by authorization from Deposit Account No. 05-1135.

Respectfully submitted,


Ronald C. Fedus
Registration No. 32,567
Attorney for Applicants

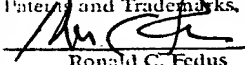
ENZO THERAPEUTICS, INC.
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OFFICE OF PETITIONS
AND PATENTS

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.	EM366566580
Deposit Date	MARCH 19, 1998
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
 Ronald C. Fedus Reg. No. 32,567	DATE MAR 19 98

The facts that explain how the error without deceptive intention was discovered are set forth in the Verified Statement of Facts by the original inventors. Briefly, several weeks after the March 21, 1997 filing date of this application, Dr. Dakai Liu spoke to Applicants' undersigned attorney on another matter. During that conversation that took place in late May or early June 1997, Dr. Liu indicated that he thought that two of his laboratory co-workers, Jeffrey Ng and Lev Lubarsky, may have contributed as inventors. After reiterating to Dr. Liu the standard for conception of an invention, Applicants' attorney indicated that he would review the inventorship issue with Dr. Liu within a couple of weeks. Sometime in June, 1997, Dr. Liu and Applicants' attorney had a telephone conversation during which Dr. Liu stated that he was confident that Messrs. Ng and Lubarsky had contributed to certain of the pending claims as co-inventors. Dr. Liu also reviewed the pending claims with Applicants' attorney and he pointed to specific claims that he thought were contributed by Messrs. Ng and Lubarsky. On a separate occasion in June, 1997, Applicants' attorney spoke to Messrs. Ng and Lubarsky who confirmed their contribution as co-inventors. On July 1, 1997, Applicants' attorney wrote to Messrs. Ng and Lubarsky and provided each with a copy of the as-filed patent application, declaration and oath for patent application and an assignment. Both inventors signed their respective declaration and assignment on July 22, 1997. Drs. Liu and Rabbani also subsequently signed a new declaration and assignment reflecting the addition of Messrs. Ng and Lubarsky as co-inventors.

A restriction requirement was issued on September 2, 1997, in which the Examiner required restriction of the claims to one of five groups. A response to the September 2, 1997 restriction requirement was filed on December 30, 1997. A conversation earlier this year between Applicants' attorney and Examiner Sean McGarry leads the former to believe that the restriction requirement will be maintained. On the basis of information provided by Dr. Liu, Applicants' attorney believes that only the elected group, Group I directed to claims 1-16 and 61-66 are affected by the inventorship amendment. When pursued in divisional applications to be filed shortly, the other four non-elected Groups II-V, will be filed in the names of the original inventors, Dakai Liu and Elazar Rabbani.

Dakai Liu, et al.

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Page 3 (Petition to Correct Inventorship Under 37 C.F.R. §1.48(a)
March 19, 1998)

As indicated above and as required by the rules, this Petition is accompanied by a Verified Statement of Facts by the original named inventors establishing when the error without deceptive intention was discovered and how it occurred. Also accompanying this Petition is an oath or declaration by each of the inventors as required under 37 C.F.R. §1.634, as well as a new executed assignment. In accordance with the rules, this Petition identifies the inventors to be added and acknowledges that their invention is being claimed. The defect in the inventorship designation occurred without any deceptive intention and this Petition to correct the designation was diligently filed.

The Patent and Trademark Office is hereby authorized to deduct the fee for the filing of this Petition in the amount of \$130.00, as set forth in 37 C.F.R. §1.17(h), from Deposit Account No. 05-1135, or to credit any overpayment thereto. If any other fee or fees are due in connection with this Petition, Verified Statement and/or Oath/Declaration, authorization is hereby given to deduct the amount of any such fee or fees from Deposit Account No. 05-1135.

Favorable action on this Petition and the Amendment to Correct Inventorship is respectfully requested.

Respectfully submitted,



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